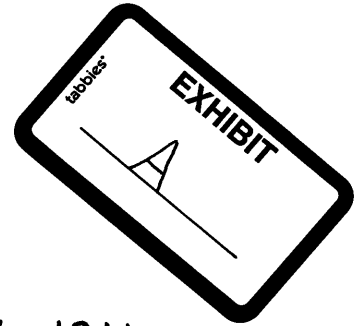


IN THE CIRCUIT COURT OF
MONTGOMERY COUNTY, ALABAMA



Vinnie Norman,
Plaintiff,

CASE NO.: CV -06-1341

v.

Family Dollar Stores,
Defendant.

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FILED
CIRCUIT COURT OF
MONTGOMERY COUNTY
2006 MAY 12 PM 12:32

COMPLAINT

COMES NOW the Plaintiff, Vinnie Norman, by and through her Attorney Christopher B. Pitts of Christopher B. Pitts, P.C. in the above-styled cause and makes the following complaint for personal injuries:

Statement of the Parties

1. Plaintiff, Vinnie Norman, is over the age of 19 years. Plaintiff is a citizen of the State of Alabama and resides in Montgomery County, Alabama.
2. Defendant, Family Dollar Stores (hereinafter "Defendant"), is a domestic corporation and owns and operates various stores in the State of Alabama.
3. Defendant owns and operates a Family Dollar Store located at 4752 Mobile Highway in Montgomery, Alabama.
4. On or about May 13, 2004, Defendant was conducting business in Montgomery, Alabama and is therefore subject to the jurisdiction of this court.

Statement of the Facts

5. Plaintiff was a regular customer at the Family Dollar Store located at 4752 Mobile Highway in Montgomery, Alabama. On or around May 13, 2004, Plaintiff entered Defendant's store as a business invitee.
6. On or around the date in question, Plaintiff walked down an aisle in the store and was struck in the head and back by a box.
7. Subsequent to this incident, Plaintiff experienced numerous physical and/or health problems, such as blurred vision, seizures, increased blood pressure, a change in diabetic condition, a change in walking pattern, headaches, and pain in neck and shoulder area. In addition to the abovementioned physical and/or health problems, Plaintiff has suffered mental anguish as well as pain and suffering.
8. Furthermore, Plaintiff had to seek medical treatment and has incurred medical expenses as a result of said incident.

Count One : Negligence and Wantonness

9. Plaintiff re-alleges paragraphs 1 through 8 of the Complaint.
10. Defendant owed a duty of care to business invitees to maintain safe, non-hazardous premises and to make reasonable inspections of its premises.
11. Defendant owed a duty of care to Plaintiff, a business invitee.
12. Defendant breached its duty of care by failing to maintain safe, non-hazardous premises and by failing to conduct reasonable inspections of said premises to discover and reveal the same, thereby resulting in Plaintiff's injuries.
13. Plaintiff's injuries were foreseeable or should have been foreseeable to Defendant due to such a dangerous condition existing on Defendant's premises.

14. Defendant knew or should have known that the lack of inspection of premises or unsafe, hazardous conditions could cause serious bodily injury to Plaintiff.
15. Therefore, Defendant's negligent and wanton actions caused Plaintiff's injuries.
16. Plaintiff is entitled to recover compensatory and punitive damages for pain and suffering, mental anguish, and serious bodily injury arising from Defendant's negligence and wantonness.
17. The aforementioned facts establish Plaintiff's claim for negligence and wantonness against Defendant.

Relief Requested

Plaintiff requests relief from Count One by judgment against Defendant for compensatory and punitive damages.

Respectfully Submitted,



Christopher B. Pitts (PIT031)
Attorney for Plaintiff

OF COUNSEL:
Christopher B. Pitts P.C.
4142 Carmichael Road, Suite A
Montgomery, AL 36106
(334) 356-9995

JURY DEMAND

PLAINTIFF HEREBY DEMANDS TRIAL BY JURY ON ALL ISSUES OF THIS CAUSE.



OF COUNSEL

State of Alabama
Unified Judicial System

Form ARCivP-93 Rev. 5/99

COVER SHEET
CIRCUIT COURT - CIVIL CASE
(Not For Domestic Relations Cases)

Case Number

CV 06-1341

Date of Filing:

Month Day Year

Judge Code:

J-4

GENERAL INFORMATIONIN THE CIRCUIT COURT OF Montgomery, ALABAMA

(Name of County)

Vinnie Norman

Plaintiff

v.

Family Dollar Stores

Defendant

First Plaintiff

☐ Business☒ Individual☐ Government☐ Other

First Defendant

☒ Business☐ Individual☐ Government☐ Other**NATURE OF SUIT:** Select primary cause of action, by checking box (check only one) that best characterizes your action:**TORTS: PERSONAL INJURY**

- ☐ WDEA - Wrongful Death
☐ TONG - Negligence: General
☐ TOMV - Negligence: Motor Vehicle
☐ TOWA - Wantonness
☐ TOPL - Product Liability/AEMLD
☐ TOMM - Malpractice-Medical
☐ TOLM - Malpractice-Legal
☐ TOOM - Malpractice-Other
☐ TBFM - Fraud/Bad Faith/Misrepresentation
☐ TOXX - Other: _____

TORTS: PROPERTY INJURY

- ☐ TOPE - Personal Property
☐ TORE - Real Property

OTHER CIVIL FILINGS

- ☐ ABAN - Abandoned Automobile
☐ ACCT - Account & Nonmortgage
☐ APAA - Administrative Agency Appeal
☐ ADPA - Administrative Procedure Act
☐ ANPS - Adults in Need of Protective Services

OTHER CIVIL FILINGS (cont'd)

- ☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve
☐ CVRT - Civil Rights
☐ COND - Condemnation/Eminent Domain/Right-of-Way
☐ CTMP - Contempt of Court
☐ CONT - Contract/Ejectment/Writ of Seizure
☐ TOCN - Conversion
☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contests/Quiet Title/Sale For Division
☐ CVUD - Eviction Appeal/Unlawful Detainer
☐ FORJ - Foreign Judgment
☐ FORF - Fruits of Crime Forfeiture
☐ MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
☐ PFAB - Protection From Abuse
☐ FELA - Railroad/Seaman (FELA)
☐ RPRO - Real Property
☐ WTEG - Will/Trust/Estate/Guardianship/Conservatorship
☐ COMP - Workers' Compensation
☐ CVXX - Miscellaneous Circuit Civil Case

ORIGIN (check one):F ☒ INITIAL FILINGA ☐ APPEAL FROM
DISTRICT COURTO ☐ OTHER: _____R ☐ REMANDEDT ☐ TRANSFERRED FROM
OTHER CIRCUIT COURT**HAS JURY TRIAL BEEN DEMANDED?**☒ YES ☐ NO

Note: Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P. for procedure)

RELIEF REQUESTED:☐ MONETARY AWARD REQUESTED☐ NO MONETARY AWARD REQUESTED**ATTORNEY CODE:**

PIT031

Date

May 12, 2006

Signature of Attorney/Party filing this form

MEDIATION REQUESTED:☐ YES ☐ NO ☐ UNDECIDED

IN THE CIRCUIT COURT OF
MONTGOMERY COUNTY, ALABAMA

Vinnie Norman, Plaintiff, vs. Family Dollar Stores, Defendant.	* * * * * * * * * * * * *	CASE NO. CV <u>-06-1341</u>
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FILED
CIRCUIT COURT OF
MONTGOMERY COUNTY
2006 MAY 12 PM 12:32

SUMMONS

This service by County Sheriff of this summons is initiated upon the written request of Plaintiffs' attorney pursuant to the Alabama Rules of Civil Procedure.

NOTICE TO: Family Dollar Stores, 4752 Mobile Highway, Montgomery, Alabama, 36108

DI

The Complaint which is attached to this summons is important and you must take immediate action to protect your rights. You are required to mail or hand deliver a copy of a written Answer, either admitting or denying each allegation in the Complaint to,

Christopher B. Pitts
4142 Carmichael Road, Suite A
Montgomery, AL 36106

the attorney for the Plaintiffs. THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN THIRTY (30) DAYS FROM THE DATE OF DELIVERY OF THIS SUMMONS AND COMPLAINT AS EVIDENCED BY THE RETURN RECEIPT, OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT. You must also file the original of your Answer with the Clerk of this Court within a reasonable time afterward.

Melissa Pittman
Circuit Clerk *dk*

DATED: 05/22/06